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I HEREBY CERTIFY THAT THIS CORRESPONDENCE (ALONG WITH ANY PAPER REFERRED TO AS BEING ATTACHED OR ENCLOSED) IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" BEFORE 5 P.M. ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Christine Cuffe

Name

Christine Cuffe

Signature

Date

1-23-06

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Monaci, *et al.*

Serial No.: To Be Assigned - Case No.: ITR0065YP

Art Unit:

Filed: On Equal Date Herewith

Examiner:

For: SYNTHETIC GENE ENCODING HUMAN
EPIDERMAL GROWTH FACTOR 2/NEU ANTIGEN
AND USES THEREOF

Commissioner for Patents
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT UNDER 37 C.F.R. §1.115

Sir:

Applicants request entry of this amendment prior to examination of the above-identified application, which is a 371 of PCT/EP2004/008234, international filing date of July 20, 2004.

Submitted herewith is an Information Disclosure Statement/PTO 1449 in accordance with 37 CFR § 1.97(b)(1). Copies of art cited in the IDS are provided in accordance with 37 CFR § 1.98.

Any fees associated with the submission of this amendment can be charged to Merck Deposit Account No. 13-2755.

AMENDMENTS TO THE SPECIFICATION appear on page 2 of this paper.

AMENDMENTS TO THE CLAIMS are reflected in the listing of claims which begins on page 3 of this paper

REMARKS appear on page 7 of this paper.